IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Cont.Case(C).No.1506 of 2005(S)

JUDGEMENT IN O.P.No.13204/2001 DATED 19TH MARCH, 2004.
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PETITIONER/PETITIONER:-

D.S.SHAILA, W/O.SURESH BABU,
AGED 36YEARS, SHAJI BHAVAN, KUDIYELA, PULIMATH P.O
THIRUVANANTHAPURAM.

BY ADV. SRI.M.V.THAMBAN

RESPONDENTS: RESPONDENTS:-
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1. REV.C.H.ALFRED, FATHER'S NAME COULD NOT BE ASCERTAINED AGED ABOUT 45 YEARS, MANAGER, CORPORATE MANAGEMENT OF LUTHERAN SCHOOLS, KALAVANI CHURCH, PEROORKKADA P.O. THIRUVANANTHAPURAM.

2. AJITH KUMAR I.A.S, AGED ABOUT 40 YEARS, FATHERS NAME COULD NOT BE ASCERTAINED WORKING AS DIRECTOR OF PUBLIC INSTRUCTIONS, THIRUVANANTHAPURAM.

3. ABDUL SATHAR, FATHER'S NAME COULD NOT BE ASCERTAINED AGED ABOUT 50 YEARS, WORKING AS ASSISTANT EDUCATIONAL OFFICER, KILIMANOOR, THIRUVANANTHAPURAM.

ADDITIONAL 4TH RESPONDENT IMPLEADED:

ADDL.R4. ASSISTANT EDUCATIONAL OFFICER,
CHERTHALA, ALAPPUZHA DISTRICT.

(ADDITIONAL 4TH RESPONDENT IS IMPLEADED AS PER ORDER DATED 21ST DECEMBER, 2006, VIDE JUDGMENT)

R1 BY ADV.SRI.P.GOPALAKRISHNAN NAIR.
R2 TO R4 BY GOVERNMENT PLEADER SRI.T.B.HOOD.

THIS CONTEMPT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 21/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K.Bali,C.J. & C.N.Ramachandran Nair,J.

Cont.Case (C).No.1506 of 2005-S & I.A.No.3503 of 2006

Dated, this the 21st day of December, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

I.A.3503 of 2006, the petition for impleadment, is allowed.

2. Pursuant to our orders dated 8th December, 2006, Suseelan, Assistant Educational Officer, Cherthala is present in Court. Initially, Mr.T.B.Hood, learned Government Pleader representing him, endeavoured to show that the petitioner was to be accommodated only against the vacancy of one Asha, who, in turn, was appointed in 2003 and not for the year 2002-03 as directed by the learned Single Judge in W.P.(C).No.13204 of 2001 vide order dated 19th March, 2004. However, when confronted with the order dated 8th December 2006 as also the order, non-compliance whereof has been complained in the contempt petition, operative part of which has been reproduced by us in our order dated 8th December 2006, Mr.Hood states that the petitioner would indeed be accommodated in the first vacancy

for the year 2002-2003 and salary shall be paid. This statement stands recorded and in view of the said statement only we close this contempt matter and, however, there would be a further direction that the needful shall be done within one month from today. All pending interlocutory applications shall stand dismissed.

V.K.Bali
Chief Justice

C.N.Ramachandran Nair
Judge

vku/-